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Filing date: **01/07/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91171281
Party	Defendant Jarrow Formulas, Inc.
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Date	01/07/2016
Attachments	Stipulated Motion to Withdraw Motion for Judgment (01.07.2016) [FINAL].PDF(29899 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

PomWonderful LLC The Wonderful Company LLC)	
)	Opposition (Parent) No.: 91171281
)	
Opposers,)	Marks and Consolidated Proceedings:
)	Opp. No. 91171281 re POMAMAZING
)	Opp. No. 91191283 re POME GREAT
v.)	Opp. No. 91171284 re POMESYNERGY
)	Opp. No. 91173117 re POMOPTIMIZER
Jarrow Formulas, Inc.,)	Opp. No. 91173118 re POMGUARD
)	Opp. No. 91186414 re POMEZOTIC
)	Opp. No. 91191995 re PRICKLYPOM
Applicant.)	Opp. No. 91194226 re POM and POM
)	
)	
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**STIPULATED MOTION TO WITHDRAW JARROW FORMULAS, INC.’S
MOTION FOR JUDGMENT AND CONTINUE SUSPENSION OF PROCEEDINGS**

Jarrow Formulas, Inc. (“JFI”), PomWonderful LLC (“PomWonderful”), and The Wonderful Company LLC (“TWC”) (collectively, the “Parties”) have entered into a settlement agreement resolving the issues raised in these proceedings. Accordingly, the Parties respectfully move the Board as follows:

1. JFI requests, with the consent of PomWonderful and TWC, that its pending Motion for Judgment under 37 C.F.R. § 2.132(a) (D.E. ## 93/94) be withdrawn and given no consideration by the Board; and

2. The Parties request that proceedings remain suspended as they dispose of these consolidated proceedings in accordance with their settlement agreement. Specifically, the Parties will make the following motions:

a. Within five (5) days of the date of this motion, JFI will file a stipulated motion to amend its applications for the POME GREAT, POMESYNERGY, and POMEZOTIC

marks;

b. Within ten (10) days of the Board's acceptance of the amendments requested by JFI, PomWonderful and TWC will withdraw the oppositions against the POME GREAT, POMESYNERGY, and POMEZOTIC marks; and

c. Within ten (10) days of the date of this motion, the Parties will file a stipulated motion to abandon JFI's applications for the POMAMAZING, POMOPTIMIZER, POMGUARD and PRICKLYPOM marks and to withdraw all other opposition proceedings.

Respectfully submitted:

McCARTER & ENGLISH, LLP

ROLL LAW GROUP P.C.

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January 7, 2016

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*Attorneys for PomWonderful LLC and
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January 7, 2016

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the date shown below, a true and correct copy of the foregoing STIPULATED MOTION TO WITHDRAW JARROW FORMULAS, INC.'S MOTION FOR JUDGMENT AND CONTINUE SUSPENSION OF PROCEEDINGS has been served upon counsel for PomWonderful LLC and The Wonderful Company LLC via email, as agreed to by the Parties:

Danielle M. Criona
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Date: January 7, 2016

By: */s/ David Ewen*

David Ewen